

BRIAN M. BOYNTON  
Acting Assistant Attorney General  
ELIZABETH J. SHAPIRO  
Deputy Branch Director  
M. ANDREW ZEE (CA Bar No. 272510)  
Attorney  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
450 Golden Gate Avenue, Room 7-5395  
San Francisco, CA 94102  
Telephone: (415) 436-6646  
Facsimile: (415) 436-6632  
E-mail: m.andrew.zee@usdoj.gov

*Attorneys for Defendants Judicial Council of  
the Ninth Circuit, Cathy Catterson, Audrey  
Collins, Molly Dwyer, Irma Gonzalez,  
Ronald Gould, Terry Hatter, Jr., Alex  
Kozinski, Margaret McKeown, Johnnie  
Rawlinson, Sidney Thomas*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

CYRUS SANAI,

Plaintiff,

v.

ALEX KOZINSKI, et al.,

Defendants.

No. 4:19-cv-08162-YGR

**DEFENDANTS' RESPONSE TO  
PLAINTIFFS' ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE SUR-  
REPLY ON PENDING MOTION TO  
DISMISS**

Plaintiff has filed an administrative motion seeking leave to file a ten-page sur-reply in opposition to Defendants' pending Motion to Dismiss. *See* ECF No. 68. Yet this Court's local rules provide that, with exceptions neither relevant here nor invoked by Plaintiff, "[o]nce a reply is filed, no additional memoranda, papers or letters may be filed without prior Court approval." Civil Local Rule 7-3(d). Plaintiff has also already filed, through serial Local Rule 7-11 administrative motions, either what is effectively a sur-reply on the Motion to Dismiss, *see* ECF No. 65 at 2 ("Supplement to Reply Memorandum of Points and Authorities"), or a request to file a sur-reply, *see* ECF No. 58 at 2 (arguing that "leave to file a sur-reply must be granted"). Those requests have to date been unsuccessful, and this Court has advised that it intends to rule on Defendants' Motion to Dismiss, together with Plaintiffs' motion for leave to amend the complaint, without oral argument. *See* ECF Nos. 60, 67. Defendants maintain that no further briefing on Defendants' pending Motion to Dismiss should be permitted.

Dated: January 25, 2021.

Respectfully submitted,

U.S. DEPARTMENT OF JUSTICE

BRIAN M. BOYNTON  
Acting Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Branch Director

/s/ M. Andrew Zee  
M. ANDREW ZEE (CA Bar No. 272510)  
Attorney  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
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San Francisco, CA 94102  
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Facsimile: (415) 436-6632  
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